

**This document was signed electronically on January 4, 2016, which may be different from its entry on the record.**

**IT IS SO ORDERED.**

**Dated: January 4, 2016**



*Pat E Morgenstern-Claren*

**Pat E. Morgenstern-Claren  
Chief Bankruptcy Judge**

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO

In re:	) Case No. 15-12719-pmc
	)
Demetria C. Searcy,	) Chapter 13
	)
Debtor(s).	) Judge Pat E. Morgenstern-Claren
	)
	) <u>ORDER GRANTING AMENDED</u>
	) <u>MOTION OF KONDAUR CAPITAL</u>
	) <u>CORPORATION, AS SEPARATE</u>
	) <u>TRUSTEE OF MATAWIN VENTURES</u>
	) <u>TRUST SERIES 2015-1 FOR</u>
	) <u>RELIEF FROM STAY</u>
	)
	) 20014 GARDENVIEW DRIVE
	) MAPLE HEIGHTS, OH 44137

This matter came before the Court on the Amended Motion for Relief from Stay (the “Amended Motion”) filed by Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2015-1 (the “Movant”). Movant has alleged that good cause for granting the Amended Motion exists, and that Debtor(s), counsel for the Debtor(s), the Chapter 13 Trustee, and all other necessary parties were served with the Amended Motion, and with notice of the hearing date on the Amended Motion. No party filed a response or otherwise appeared in

opposition to the Amended Motion, or all responses have been withdrawn. For these reasons, it is appropriate to grant the relief requested.

IT IS, THEREFORE, ORDERED that the Amended Motion is granted. The automatic stay imposed by § 362 of the Bankruptcy Code is terminated with respect to the Movant, its successors, and assigns.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall discontinue all payments to Movant on its claim under the Chapter 13 Plan filed by the Debtor(s). Movant is directed to file a report of sale promptly following liquidation of the Real Property commonly known as 20014 Gardenview Drive, Maple Heights, OH 44137 (the “Collateral”) if any excess proceeds are received. Should Movant seek to file any unsecured deficiency claim, Movant shall do so no later than 90 days after this Order is entered. If the Collateral has not been liquidated, the deficiency claim is to be estimated.

# # #

SUBMITTED BY:

/s/ Colin R. Beach

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Colin R. Beach (0080210)  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Order for Relief from Stay was served via the Court's electronic case filing system on the following who are listed on the Court's Electronic Mail Notice List:

Sheronda Denise Dobson  
503 East 200<sup>th</sup> Street  
Suite 202  
Euclid, OH 44119

Craig H. Shopneck  
Chapter 13 Trustee  
BP Tower  
200 Public Square, Suite 3860  
Cleveland, OH 44114

Office of the U.S. Trustee  
201 Superior Avenue East, Suite 441  
Cleveland, OH 44114

and on the following by **ordinary U.S. mail** addressed to:

Demetria C. Searcy  
20014 Gardenview Drive  
Maple Heights, OH 44137